APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,118	09/14/2006	Gregory Lyle Duncan	63461/101: 1	4082

3528   7590   12/07/2010
STOEL RIVES LLP - PDX
900 SW FIFTH AVENUE
SUITE 2600
PORTLAND, OR 97204-1268

EXAMINER
DEBROW, JAMES J

ART UNIT	PAPER NUMBER
2176	

MAIL DATE	DELIVERY MODE
12/07/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/551,118	DUNCAN ET AL.
	Examiner	Art Unit	
	JAMES J. DEBROW	2176	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 June 2010</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21 and 30-32</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21 and 30-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some *　c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date <u>9/24/2010</u>.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail. Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)　　　　　　　　**Office Action Summary**　　　　　　　Part of Paper No./Mail Date 20101129

DETAILED ACTION

This action is responsive to communication: RCEX filed 15 Jun. 2010.

Claims 1-21 and 30-32 are pending in the case. Claims 1, 7, 13 and 15 are independent claims.

Applicant's Response

In Applicant's Response dated 15 Jun. 2010, Applicant amended claims 1, 7, 10, 13 and 15; added new claim 32; argued against all rejections previously set forth in the Office Action dated 15 Mar. 2010.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 15 Jun. 2010 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

Claims 1-4, 7-10, 15, 16 and 30-32 are rejected under 35 U.S.C. 102(e) as

being anticipated by Reulein et al. (Pat. No. US 7,035,837 B2; Filed Jan. 30, 2002)

(hereinafter "Reulein").

Regarding independent claim 1, Reulein discloses *a system for producing a*

document comprising:

a repository for storing documents in a marked-up form, each marked-up

document having been obtained by marking up an unmarked-up document according to

one or more mark-up schemas, and each marked-up document comprising explicit

structural information corresponding to implicit structural information contained in a said

unmarked-up document (col. 3, lines 19-27 & 46-52; col. 4, lines 12-15; col. 6, lines 49-

63; col. 7, lines 14-30; Reulein discloses a repository for storing XML documents

(marked-up documents) and published documents. The repository also maintains

DTDs/schemas. It has been established and well known in the art at DTDs/schemas

typically contain explicit structural information corresponding to implicit structural

information contained in a corresponding unmarked-up/output document. Reulin also

disclose the user request full documents for viewing or editing. The document is

presented as a word processor file or text file and converted into XML format.).

   a document format store for storing formats (col. 3, lines 25-27; col. 4, lines 33-

38; Reulein discloses a repository for storing XML documents, published documents,

DTDs/schemas and style sheets. Thus Reulien discloses a document format store for

storing formats.).

   a document production processor for generating a user-requested document

from said marked-up documents using a user-selected one of said formats, said

generated user-requested document retaining said implicit structural information (col. 3,

lines 52-54; col. 4, lines 6-18 & 33-44; col. 8, lines 12-59; Reulein discloses selecting a

publication format for the publication. Reulein discloses a publishing subsystem that

creates individual output files from the previously assembled XML file by applying

predefined style specifications. The publishing subsystem manages output production to

a variety of industry standards formats including postscript, PDF, HTML, XML and

metacode. Reulein also discloses a DTD or schema is a standard blueprint for the

permitted construction of a document. DTDs are used to validate proper assembly and

structure of each document. Reulein also disclose the user editing/marking up a XML

document/component. The XML components are mapped to the appropriate Document

Type Definition (DTD) and/or schema. It has been established and well known in the art

at DTDs/schemas typically contain explicit structural information corresponding to

implicit structural information contained in a corresponding unmarked-up/output

document.).

Regarding dependent claim 2, Reulein discloses *the system of claim 1, wherein each said mark-up schema includes minor structural mark-up elements which must flow in said generated user-requested document* (col. 4, lines 19-29; Reulein discloses a DTD or schema is a standard blueprint for the permitted construction of a document. DTDs are used to validate proper assembly and structure of each document.).

Regarding dependent claim 3, Reulein discloses *the system of claim 2, wherein said minor structural mark-up elements include one or more of words, characters, paragraphs, numbered paragraphs or special paragraphs* (col. 4, lines 19-29; Reulein discloses a DTD or schema is a standard blueprint for the permitted construction of a document. DTDs are used to validate proper assembly and structure of each document. The DTD may mandate that certain section of a document contain a traditional paragraph structure.).

Regarding dependent claim 4, Reulein discloses *the system of claim 1, wherein each of said formats includes a set of rules having parameters capable of user replacement* (col. 8, lines 22-39; col. 10, line 55- col. 11, line 3; Reulein discloses rules for modifying XML component text and tags. Reulein discloses variable text rules for inserting text at applicable tagged area of the XML file. It has been established and is

commonly known that XML documents typically contain tagged area/information,

including format attributes/parameters, which can be modified/specified by a user.).

In regards to independent claim 7, Reulein discloses *a method of producing a*

document comprising the steps of:

marking-up an unmarked-up document according to a schema the marked-up

document having explicit said to implicit structural information contained in a

corresponding unmarked-up document (col. 3, lines 19-27 & 46-52; col. 4, lines 19-29;

col. 7, line 14 – col. 8, line 47; Reulin disclose the user request full documents for

viewing or editing. The document is presented as a word processor file or text file

(unmarked-up document) and converted into XML format (marked-up document).

Reulein discloses a DTD or schema is a standard blueprint for the permitted

construction of a document. DTDs are used to validate proper assembly and structure

of each document. Reulein also disclose the user editing/marking up a XML

document/component. The XML components are mapped to the appropriate Document

Type Definition (DTD) and/or schema. It has been established and well known in the art

at DTDs/schemas typically contain explicit structural information corresponding to

implicit structural information contained in a corresponding unmarked-up/output

document.).

receiving a user selection of one of a plurality of stored formats over an electronic

network (col. 3, lines 1-14 & 25-27; Fig. 1; col. 4, lines 33-38; Reulein discloses a

repository for storing XML documents, published documents, DTDs/schemas and style

sheets. Reulin also disclose a document management system in which a user at terminals (personal computer) can access the system over the Internet. Thus the Examiner concludes that Reulein discloses the user's interactions with the system can occur over an electronic network.).

generating a user-requested document in electronic form from said marked-up document using said user-selected format, said user-requested generated document containing said implicit structural information (col. 4, lines 19-29; col. 7, line 14 – col. 8, line 47; col. 3, lines 52-54; col. 4, lines 6-18 & 33-44; col. 8, lines 12-59; Reulein discloses a DTD or schema is a standard blueprint for the permitted construction of a document. DTDs are used to validate proper assembly and structure of each document. Reulein also disclose the user editing/marking up a XML document/component. The XML components are mapped to the appropriate Document Type Definition (DTD) and/or schema. Reulein further discloses an assembly subsystem that assembles documents into completed XML formats. Reulein discloses selecting a publication format for the publication. Reulein discloses a publishing subsystem that creates individual output files from the previously assembled XML file by applying predefined style specifications. The publishing subsystem manages output production to a variety of industry standards formats including postscript, PDF, HTML, XML and metacode.).

Regarding dependent claim 8, Reulein discloses *the method of claim 7, wherein each said schema includes minor structural mark-up elements which must flow in said generated user-requested document* (col. 4, lines 19-29; Reulein discloses a

DTD or schema is a standard blueprint for the permitted construction of a document.

DTDs are used to validate proper assembly and structure of each document.).

Regarding dependent claim 9, Reulein discloses *the method of claim 8,*

wherein said minor structural marked-up elements include one or more of words,

characters, paragraphs, numbered paragraphs or special paragraphs (col. 4, lines 19-

29; Reulein discloses a DTD or schema is a standard blueprint for the permitted

construction of a document. DTDs are used to validate proper assembly and structure

of each document. The DTD may mandate that certain section of a document contain a

traditional paragraph structure.).

Regarding dependent claim 10, Reulein discloses *the method of any claim 7,*

wherein said user-selected format includes a set of rules having parameters capable of

user replacement (col. 8, lines 22-39; col. 10, line 55- col. 11, line 3; Reulein discloses

rules for modifying XML component text and tags. Reulein discloses variable text rules

for inserting text at applicable tagged area of the XML file. It has been established and

is commonly known that XML documents typically contain tagged area/information,

including format attributes/parameters, which can be modified/specified by a user.).

Regarding independent claim 15, Reulein discloses *a method for producing*

and distributing documents comprising the steps of:

marking-up unmarked-up documents according to a schema, each marked-up

document having explicit structural information corresponding to implicit structural

information contained in a corresponding one of said unmarked-up document (col. 3,

lines 19-27 & 46-52; Reulein discloses a repository for storing XML documents

(marked-up documents) and published documents. The repository also maintains

DTDs/schemas. It has been established and well known in the art at DTDs/schemas

typically contain explicit structural information corresponding to implicit structural

information contained in a corresponding unmarked-up/output document. Reulin also

disclose the user request full documents for viewing or editing. The document is

presented as a word processor file or text file (unmarked-up document) and converted

into XML format (marked-up document). Thus Reulin discloses marking-up unmarked-

up documents according to a schema, each marked-up document having explicit

structural information corresponding to implicit structural information contained in a

corresponding one of said unmarked-up document.).

receiving a customer order from a customer for a said marked-up document over

an electronic network, said customer order including formatting information (col. 3, lines

1-14 & 25-27; Fig. 1; col. 4, lines 33-38; Reulein discloses a repository for storing XML

documents, published documents, DTDs/schemas and style sheets. Reulin also

disclose a document management system in which a user/customer at terminals

(personal computer) can access the system over the Internet. Thus the Examiner

concludes that Reulein discloses the user's/customer's interactions with the system can

occur over an electronic network. Reulin also disclose the user request full documents

for viewing or editing (receiving a user/customer order for a said marked-up document over an electronic network.). The document is presented as a word processor formatted file and later converted into XML format for storage after the user/customer viewing or editing process is completed.).

   generating a customer-requested formatted document in electronic form from said marked-up document using said formatting information, the generated customer-requested formatted document containing said implicit structural information (col. 3, lines 52-54; col. 4, lines 6-18 & 33-44; col. 8, lines 12-59; Reulein discloses selecting a publication format for the publication. Reulein discloses a publishing subsystem that creates individual output files (formatted documents) from the previously assembled XML file by applying predefined style specifications. The publishing subsystem manages output production to a variety of industry standards formats including postscript, PDF, HTML, XML and metacode. Reulein also discloses a DTD or schema is a standard blueprint for the permitted construction of a document. DTDs are used to validate proper assembly and structure of each document. Reulein also disclose the user editing/marking up a XML document/component. The XML components are mapped to the appropriate Document Type Definition (DTD) and/or schema. It has been established and well known in the art at DTDs/schemas typically contain explicit structural information corresponding to implicit structural information contained in a corresponding unmarked-up/output document.).

   transmitting said generated customer-requested formatted document over said electronic network (col. 3, lines 1-14 & 25-27; Fig. 1; col. 4, lines 33-38; Reulein

discloses a repository for storing XML documents, published documents,

DTDs/schemas and style sheets. Reulin also disclose a document management system

in which a user/customer at terminals (personal computer) can access the system over

the Internet. Reulin also disclose the user/customer request full documents for viewing

or editing. The document is presented (transmitted to user/customer) as a word

processor formatted file and later converted into XML format for storage after the

user/customer viewing or editing process is completed. Thus the Examiner concludes

that Reulein discloses the user's/customer's interactions with the system can occur over

an electronic network, thus transmitting said generated customer-requested formatted

document over said electronic network.).

Regarding dependent claim 16, Reulein disclose *the method of claim 15,*

wherein said transmitted document is received by said customer (col. 3, lines 1-14 & 25-

27; Fig. 1; col. 4, lines 33-38; Reulein discloses a repository for storing XML documents,

published documents, DTDs/schemas and style sheets. Reulein also disclose a

document management system in which a user/customer at terminals (personal

computer) can access the system over the Internet. Thus the Examiner concludes that

Reulein discloses the user's/customer's interactions with the system can occur over an

electronic network. Reulin also disclose the user/customer request full documents for

viewing or editing. The document is presented (received by user/customer) as a word

processor formatted file and later converted into XML format for storage after the

user/customer completes the viewing or editing.).

    Regarding dependent claim 30, Reulein discloses *the system of claim 1,*

wherein each of said formats includes a set of rules having user-specified parameters

(col. 8, lines 22-39; col. 10, line 55- col. 11, line 3; Reulein discloses rules for modifying

XML component text and tags. Reulein discloses variable text rules for inserting text at

applicable tagged area of the XML file. It has been established and is commonly known

that XML documents typically contain tagged area/information, including format

attributes/parameters, which can be modified/specified by a user.).

    Regarding dependent claim 31, Reulein discloses *the method of claim 7,*

wherein said user-selected format includes a set of rules having user-specified

parameters (col. 8, lines 22-39; col. 10, line 55- col. 11, line 3; Reulein discloses rules

for modifying XML component text and tags. Reulein discloses variable text rules for

inserting text at applicable tagged area of the XML file. It has been established and is

commonly known that XML documents typically contain tagged area/information,

including format attributes/parameters, which can be modified/specified by a user.).

    Regarding independent claim 32, Reulein discloses *a method of producing a*

document comprising the steps of:

    marking-up an unmarked-up document according to a schema, the marked-up

document having explicit structural information corresponding to implicit structural

information contained in said unmarked-up document (col. 3, lines 19-27 & 46-52; col.

4, lines 19-29; col. 7, line 14 – col. 8, line 47; Reulin disclose the user request full

documents for viewing or editing. The document is presented as a word processor file

or text file (unmarked-up document) and converted into XML format (marked-up

document). Reulein discloses a DTD or schema is a standard blueprint for the permitted

construction of a document. DTDs are used to validate proper assembly and structure

of each document. Reulein also disclose the user editing/marking up a XML

document/component. The XML components are mapped to the appropriate Document

Type Definition (DTD) and/or schema. It has been established and well known in the art

at DTDs/schemas typically contain explicit structural information corresponding to

implicit structural information contained in a corresponding unmarked-up/output

document.).

   receiving a user selection of one of a plurality of stored formats over an electronic

network (col. 3, lines 1-14 & 25-27; Fig. 1; col. 4, lines 33-38; Reulein discloses a

repository for storing XML documents, published documents, DTDs/schemas and style

sheets. Reulin also disclose a document management system in which a user at

terminals (personal computer) can access the system over the Internet. Thus the

Examiner concludes that Reulein discloses the user's interactions with the system can

occur over an electronic network.).

   generating, by a document production processor, a user-requested document in

electronic form from said marked-up document using said user-selected format, said

generated user-requested electronic document containing said implicit structural

information (col. 4, lines 19-29; col. 7, line 14 – col. 8, line 47; col. 3, lines 52-54; col. 4,

lines 6-18 & 33-44; col. 8, lines 12-59; Reulein discloses a DTD or schema is a standard

blueprint for the permitted construction of a document. DTDs are used to validate proper

assembly and structure of each document. Reulein also disclose the user

editing/marking up a XML document/component. The XML components are mapped to

the appropriate Document Type Definition (DTD) and/or schema. Reulein further

discloses an assembly subsystem that assembles documents into completed XML

formats. Reulein discloses selecting a publication format for the publication. Reulein

discloses a publishing subsystem that creates individual output files from the previously

assembled XML file by applying predefined style specifications. The publishing

subsystem manages output production to a variety of industry standards formats

including postscript, PDF, HTML, XML and metacode.).

   wherein said user-selected format includes a set of rules having parameters

capable of user replacement (col. 8, lines 22-39; col. 10, line 55- col. 11, line 3; Reulein

discloses rules for modifying XML component text and tags. Reulein discloses variable

text rules for inserting text at applicable tagged area of the XML file. It has been

established and is commonly known that XML documents typically contain tagged

area/information, including format attributes/parameters, which can be

modified/specified by a user.).

                                            NOTE

   It is noted that any citations to specific, pages, columns, lines, or figures in the

prior art references and any interpretation of the reference should not be considered to

be limiting in any way. A reference is relevant for all it contains and may be relied upon

for all that it would have reasonably suggested to one having ordinary skill in the art.

See MPEP 2123.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Reulein in view of Hendrickson et al. (Pub. No. US 2002/0065852 A1; Filed:

Nov. 30, 2000) (hereinafter "Hendrickson").

Regarding dependent claims 5 and 11, Reulein does not <u>expressly</u> disclose

the system of claim 4 and the method of claim 10 respectively, wherein said parameters

are applied by the document production processor to generate the user-requested

document with any one or more of: variable paragraph or word shapes, variable

paragraph spacing, variable character height, variable character width, variable font

colour, variable background colour, use of colour for differing classes of words, variable

character density, variable margin sizes, use of optically corrected font, use of shaded

font, variable line length, variable line spacing, use of separators between lines of text

and use of patterns in characters or words.

Hendrickson teaches *wherein said parameters are applied by the document production processor to generate the user-requested document with any one or more of: variable paragraph or word shapes, variable paragraph spacing, variable character height, variable character width, variable font colour, variable background colour, use of colour for differing classes of words, variable character density, variable margin sizes, use of optically corrected font, use of shaded font, variable line length, variable line spacing, use of separators between lines of text and use of patterns in characters or words* (0027-0030; Hendrickson teaches custom setting features which allows the user to change formatting parameters such as font type, font size, text justification, margins and other layout setting.).

Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to combine Hendrickson with Reulein for the benefit of allowing a user to dynamically change the style of an online document (0007).

NOTE

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See MPEP 2123.

Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Reulein in view of Gebert et al. (Pub. No. US 2002/0111963 A1; Filed: Feb. 14,

2001) (hereinafter "Gebert").

Regarding dependent claim 6, Reulein does not <u>expressly</u> disclose *the system*

of any one of the preceding claims, wherein said marked-up documents and said

formats are in the form of XML files, and said production processor creates an XML:FO

style sheet from said XML format file, creates an XML:FO file from said XML document

and said style sheet, and generates an output file from said XML:FO file representing

said user-requested document.

Gebert teaches *marked-up documents and said formats are in the form of XML*

files, and said production processor creates an XML:FO style sheet from said XML

format file, creates an XML:FO file from said XML document and said style sheet, and

generates an output file from said XML:FO file representing said user-requested

document (0005-0008; 0014; 0023; 0030; 0042; Gebert teaches marked-up documents

and said formats are in the form of XML files, and said production processor creates an

XML:FO style sheet from said XML format file, creates an XML:FO file from said XML

document and said style sheet, and generates an output file from said XML:FO file

representing said user-requested document.).

Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to combine Gebert with Reulein for the benefit of receiving as input a source document in the XML presentation language and an XML style sheet and transform the XML source document to an document including XSL-FO formatting objects (0023).

Regarding dependent claim 12, Reulein does not <u>expressly</u> disclose *the method of any one of claims 7 to 11, wherein said marked-up documents and said formats are in the form of XML files, and said generating step includes creating an XML:FO style sheet from said XML format file, creating an XML:FO file from said XML document and said style sheet, and generating an output file from said XML:FO file representing said user-requested document.*

Gebert teaches *marked-up documents and said formats are in the form of XML files, and said production processor creates an XML:FO style sheet from said XML format file, creates an XML:FO file from said XML document and said style sheet, and generates an output file from said XML:FO file representing said user-requested document* (0005-0008; 0014; 0023; 0030; 0042; Gebert teaches marked-up documents and said formats are in the form of XML files, and said production processor creates an XML:FO style sheet from said XML format file, creates an XML:FO file from said XML document and said style sheet, and generates an output file from said XML:FO file representing said user-requested document.).

Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to combine Gebert with Reulein for the benefit of receiving as input a source document in the XML presentation language and an XML style sheet and transform the XML source document to an document including XSL-FO formatting objects (0023).

NOTE

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See MPEP 2123.

Claims 13, 14 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reulein in view of Gonzalez et al. (Pub. No. US 2002/0019786 A1; Filed: Jul. 19, 2001) (hereinafter "Gonzalez").

Regarding independent claim 13, Reulein discloses *a system for producing and distributing a document comprising:*

a server site including a repository for storing documents in a marked-up form each marked-up document having been obtained by marking up an unmarked-up document according to one or more mark-up schemas, and each marked-up document

comprising explicit the structural information corresponding to implicit structural

information contained in a said unmarked-up document (col. 3, lines 19-27 & 46-52; col.

4, lines 12-15; col. 6, lines 49-63; col. 7, lines 14-30; Reulein discloses a repository for

storing XML documents (marked-up documents) and published documents. The

repository also maintains DTDs/schemas. It has been established and well known in the

art at DTDs/schemas typically contain explicit structural information corresponding to

implicit structural information contained in a corresponding unmarked-up/output

document. Reulin also disclose the user request full documents for viewing or editing.

The document is presented as a word processor file or text file (unmarked-up

document) and converted into XML format (marked-up document), *a document format*

store for storing formats (col. 3, lines 25-27; col. 4, lines 33-38; Reulein discloses a

repository for storing XML documents, published documents, DTDs/schemas and style

sheets. Thus Reulien discloses a document format store for storing formats.)*, and a*

document production processor for generating a user-requested document from said

marked-up documents using a user-selected format, the generated user-requested

document containing said implicit structural information (col. 3, lines 52-54; col. 4, lines

6-18 & 33-44; col. 8, lines 12-59; Reulein discloses selecting a publication format for the

publication. Reulein discloses a publishing subsystem that creates individual output

files from the previously assembled XML file by applying predefined style specifications.

The publishing subsystem manages output production to a variety of industry standards

formats including postscript, PDF, HTML, XML and metacode. Reulein discloses a DTD

or schema is a standard blueprint for the permitted construction of a document. DTDs

are used to validate proper assembly and structure of each document. Reulein also

disclose the user editing/marking up a XML document/component. The XML

components are mapped to the appropriate Document Type Definition (DTD) and/or

schema. It has been established and well known in the art at DTDs/schemas typically

contain explicit structural information corresponding to implicit structural information

contained in a corresponding unmarked-up/output document.).

    a network to which said server site is in communication (col. 3, lines 1-24; Fig. 1;

Reulin disclose a document management system in which a user at terminals (personal

computer) can access the system over the Internet. The Examiner concludes that a

network system that consists of communications over the Internet typically consist of a

serer site. Thus Reulin implicitly teaches a network to which said server site is in

communication.).

    Reulein does not <u>expressly</u> disclose *a printing site to which said user requested*

document is sent via said network to be printed.

    Gonzalez teaches *a printing site to which said user requested document is sent*

via said network to be printed (0013-0017; 0025; 0028; 0034; 0044; Gonzalez teaches

routing customer orders received over an electronic network to a service provider (print

service provider).).

Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to combine Gonzalez with Reulein for the benefit requiring geographical criteria to be taking into account in terms of minimizing final price of a given customer print order (0011).

Regarding dependent claim 14, Reulein does not <u>expressly</u> disclose *wherein said printing site coincides with said user.*

Gonzalez teaches *wherein said printing site coincides with said user* (0013-0017; 0025; 0028; 0034; 0050; Gonzalez teaches print service providers comprising a gateway device configured to enable intelligent selection of a suitable print service provider for a given customer's printing requirements. Gonzalez also teaches the printing server provider being located in the vicinity of the delivery address specified in the order.).

Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to combine Gonzalez with Reulein for the benefit requiring geographical criteria to be taking into account in terms of minimizing final price of a given customer print order (0011).

Regarding dependent claim 17, Reulein does not <u>expressly</u> disclose *the method of claim 15, wherein said transmitted document is received by a printing site that prints said transmitted document for forwarding to said customer.*

Gonzalez teaches *transmitted document is received by a printing site that prints said transmitted document for forwarding to said customer* (0050-0051; 0058; Gonzalez teaches following printing of the job the service provider may then arrange for the job to be shipped out to the customer.).

Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to combine Gonzalez with Reulein for the benefit requiring geographical criteria to be taking into account in terms of minimizing final price of a given customer print order (0011)

Regarding dependent claim 18, Reulein does not <u>expressly</u> disclose *the method of claim 17, wherein said customer order specifies a printing site being closest geographically to said customer.*

Gonzalez teaches *wherein said customer order specifies a printing site being closest geographically to said customer* (0058; Gonzalez teaches delivery of the print product specified in a print order to an address specified in a print order. Gonzalez also teaches consideration of geographical location of a given print service provider.).

Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to combine Gonzalez with Reulein for the benefit requiring geographical criteria to be taking into account in terms of minimizing final price of a given customer print order (0011).

Regarding dependent claim 19, Reulein does not expressly disclose *the method of claim 17, wherein said customer order includes said customer's geographical location, and the method includes the further step of choosing a printing site that is geographically closest to said customer.*

Gonzalez teaches *wherein said customer order includes said customer's geographical location, and the method includes the further step of choosing a printing site that is geographically closest to said customer* (0058; Gonzalez teaches delivery of the print product specified in a print order to an address specified in a print order. Gonzalez also teaches. Gonzalez also teaches the printing server provider being located in the vicinity of the delivery address specified in the order.).

Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to combine Gonzalez with Reulein for the benefit requiring geographical criteria to be taking into account in terms of minimizing final price of a given customer print order (0011)

Regarding dependent claim 20, Reulein does not expressly disclose *the method of claim 17, wherein said customer order includes the price the customer is willing to pay, and the method includes the further step of choosing a printing site that offers a production and transport cost that meets the price.*

Gonzalez teaches *wherein said customer order includes the price the customer is willing to pay, and the method includes the further step of choosing a printing site that offers a production and transport cost that meets the price* (0047; 0048; 0050; Gonzalez

teaches a gateway device receiving a customer order or an inquiry from a customer as
to how much a given printing job will cost preferably in terms of printing cost and
shipping cost. Gonzalez further teaches the gateway device is configured to wait for a
pre-determined time so as to receive a reply as to whether or not the quote is
accepted.).

Therefore at the time of the invention it would have been obvious to one of
ordinary skill in the art to combine Gonzalez with Reulein for the benefit requiring
geographical criteria to be taking into account in terms of minimizing final price of a
given customer print order (0011).

Regarding dependent claim 21, Reulein does not <u>expressly</u> disclose *the
method of claim 17, wherein said customer order includes the length of time that the
customer is willing to wait for the document, and the method further includes the step of
choosing a printing site that can produce and transport the document to the customer to
meet that wait time.*

Gonzalez teaches *wherein said customer order includes the length of time that
the customer is willing to wait for the document, and the method further includes the
step of choosing a printing site that can produce and transport the document to the
customer to meet that wait time* (0050; Gonzalez teaches selecting printed service
providers which are suitable/available. Gonzalez also teaches selecting printed service
providers able to deliver the goods within the time specified in the order.).

Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to combine Gonzalez with Reulein for the benefit requiring geographical criteria to be taking into account in terms of minimizing final price of a given customer print order (0011).

NOTE

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See MPEP 2123.

Response to Arguments

Applicant's arguments filed 15 Jun. 2010 have been fully considered but they are not persuasive.

Previous **Claim Rejections - 35 USC § 101** are withdrawn.

Claim Rejections- 35 U.S.C. § 102

Applicant argues, *"Claims 1 and 7 have been amended to more clearly reflect this stark difference in philosophies. In particular, Reulein does not disclose all the particularly claimed limitations of claims 1 and 7 as amended."*

The Examiner disagrees as can be seen in the above rejection.

Applicant argues, *"The examiner has not addressed our argument in the previous response (filed 17 December 2009) that Reulein's document repository 106 is not "a document store for storing formats". Rather, 106 stores documents and components. Reulein's documents are generated "in a variety of industry standard formats including postscript, PDF, HTML, and metacode" (col. 4 lines 38 to 40), none of which are "formats" stored in the document repository 106. In contrast, with respect to claim 7 none of the stored "formats" is used by the claimed "document production processor" to generate a user- requested document."*

The examiner disagrees.

Applicant discloses within the specification of the current invention, page 5, lines 1-5, formats are stored as XML documents. Reulein explicitly discloses a repository for storing XML documents and published documents. The repository also maintains DTDs/schemas. It has been established and well known in the art at DTDs/schemas typically contain explicit structural information corresponding to implicit structural

information contained in a corresponding unmarked-up/output document, as Applicant's

admits in the Remarks, page 9, submitted 15 Jun. 2010. (col. 3, lines 19-27 & 46-52;

col. 4, lines 12-15; col. 6, lines 49-63; col. 7, lines 14-30).

Applicant argues "Claims 2-4, 30 and 31 depends from claim 1 and recite

additional unique limitations. For at least this reason, applicants respectfully request the

Office to reconsider and withdraw the rejection of claims 2-4, 30 and 31."

For the at least reason of claims 2-4 and 30 dependency to their respective

independent claim and based on the rationale given above regarding independent claim

1, the rejection regarding dependent claims 2-4 and 30 is maintained.

Applicant argues "Claims 8-10 depends from claim 7 and recite additional unique

limitations. For at least this reason, applicants respectfully request the Office to

reconsider and withdraw the rejection of claims 8-10."

For the at least reason of claims 8-10 dependency to independent claim 7 and

based on the rationale given above regarding independent claim 7, the rejection

regarding dependent claims 8-10 is maintained.

Claim Rejections- 35 U.S.C. § 103

Applicant argues *"Hendrickson et al. does not disclose or suggest one or more of

the formats recited in claims 5 and 11."*

The Examiner disagrees.

Hendrickson explicitly teaches custom setting features which allow the user to select a style of a resume/document and change formatting parameters in the style. The user is allowed to make modification to the elements, such as font type, font size, text justification, margins and other layout setting (0027-0030).

The Examiner notes this argument has previous been address.

Applicant argues *"Claim 6 depends from claim 1 and claim 12 depends from claim 7. As discussed above, Reulein et al. does not disclose all of the limitations recited in independent claims 1 or 7. Gebert et al. does not make up the deficiencies noted above with respect to Reulein et al. For at least this reason, applicants respectfully request the Office to reconsider and withdraw the rejection of claims 6 and 12."*

The Examiner notes Applicant's argument has previous been address in the office action dated 15 Mar. 2010.

Applicant arguments regarding independent claims 13 and 15 are substantial the same as those regarding independent claims 1 and 7, therefore the Examiner's respond is based on the same rationale as given above regarding independent claims 1 and 7.

Applicant argues "Claim 14 depends from claim 13. As discussed above, Reulein et al. in view of Gonzales et al. does not disclose or make obvious all of the limitations

recited in independent claim 13. For at least this reason, applicants respectfully request the Office to reconsider and withdraw the rejection of claim 14."

The Examiner disagrees.

For the at least reason of claim 14 dependency to independent claim 13 and based on the rationale given above regarding independent claim 13, the rejection regarding dependent claim 13 is maintained.

Applicant argues "Claims 16-21 depends from claim 15. As discussed above, Reulein et al. in view of Gonzales et al. does not disclose or make obvious all of the limitations recited in independent claim 15. For at least this reason, applicants respectfully request the Office to reconsider and withdraw the rejection of claims 16-21."

The Examiner disagrees.

For the at least reason of claims 16-21 dependency to independent claim 15 and based on the rationale given above regarding independent claim 15, the rejection regarding dependent claim 15 is maintained.

Conclusion

All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Debrow whose telephone number is 571-272-5768. The examiner can normally be reached on 8:00-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JAMES DEBROW
PATENT EXAMINER
ART UNIT 2176

/DOUG HUTTON/
Supervisory Patent Examiner, Art Unit 2176